



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,234	01/30/2004	Frank A. Hunleth	0320-002	8670
42015	7590	04/06/2007		
POTOMAC PATENT GROUP, PLLC P. O. BOX 270 FREDERICKSBURG, VA 22404			EXAMINER NGUYEN, LE V	
			ART UNIT	PAPER NUMBER
			2174	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/768,234	Applicant(s) HUNLETH ET AL.	
	Examiner Le Nguyen	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-41 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 15-41 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/28/04 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: ____. |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :3/15/06, 1/12/06, 3/7/05 and 11/10/04.

DETAILED ACTION

Oath/Declaration

1. Applicant has not given a post office address anywhere in the application papers as required by 37 CFR 1.33(a), which was in effect at the time of filing of the oath or declaration. A statement over applicant's signature providing a complete post office address is required.

Drawings

2. The drawings are objected to because they do not include the following reference sign(s) mentioned in the description: reference signs 111, 121 and 190-194 in paragraph [0007]; reference signs 100 and 134 in paragraph [0031]; reference sign 538 in paragraph [0043]; and, reference sign 1900 in paragraph [0084]. Furthermore, fig. 2 mentioned in paragraphs [0007] and [0015] appears to be missing, and figs. 15(a)-15(b) mentioned in paragraph [0076] also appears to be missing. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief

description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because they do not include the following reference character(s) depicted in the drawings: 510 and 514 of fig. 6; and, 1206 of fig. 12. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 15-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldschmidt Iki et al. ("Goldschmidt") in view of Brown et al. ("Brown").

As per claim 15, Goldschmidt teaches a method for interfacing with a plurality of images comprising displaying the plurality of images aligned relative to one another in

Art Unit: 2174

rows and columns (fig. 6), moving a cursor over one of the plurality of images and enlarging the one of the plurality of images (col. 2, lines 51-59; col. 9, lines 31-35).

Goldschmidt does not explicitly disclose the one of the plurality of images overlapping at least one image. Brown teaches one of the plurality of images overlapping at least one image (paragraphs [0047]-[0048]; *images may be depicted with one image overlapping other images or images may be depicted so that all images are entirely visible to the user*). It would have been obvious to an artisan at the time of the invention to incorporate the method of Brown with the method of Goldschmidt so that users can simultaneously view multiple images and their location for navigational purposes.

As per claim 16, the modified Goldschmidt teaches a method for interfacing with a plurality of images wherein when the cursor is not positioned over any one of the images, none of the plurality of images overlaps any other of the plurality of images (Brown: fig. 3; paragraph [0047]).

As per claim 17, the modified Goldschmidt teaches a method for interfacing with a plurality of images, wherein the one of the plurality of images, when enlarged, overlaps each image adjacent thereto (Brown: fig. 5; paragraphs [0047]-[0048]).

As per claim 18, the modified Goldschmidt teaches a method for interfacing with a plurality of images wherein the plurality of images are static (Brown: fig. 5).

As per claim 19, although the modified Goldschmidt teaches a method for interfacing with a plurality of images comprising a plurality of images representing a movie or video clip (Goldschmidt: fig. 6; col. 5, lines 27-50; col. 9, lines 8-11), the modified Goldschmidt does not explicitly disclose images representing movie cover art.

Official Notice is taken that images representing movie cover art is well known in the art. It would have been obvious to an artisan at the time of the invention to incorporate images representing movie cover art with the method of the modified Goldschmidt given that they provide product branding and are more user recognizable than images representing an obscure scene.

As per claim 20, the modified Goldschmidt teaches a method for interfacing with a plurality of images wherein said each of the plurality of images represent a selectable media item (Goldschmidt: fig. 6; col. 9, lines 31-39).

As per claim 21, the modified Goldschmidt teaches a method for interfacing with a plurality of images comprising clicking on the one of the plurality of images and launching a media item represented by the one of the plurality of images (Goldschmidt: fig. 6; col. 9, lines 31-35).

As per claim 22, the modified Goldschmidt teaches a method for interfacing with a plurality of images comprising providing additional information associated with the one of the plurality of images after enlarging the one of the plurality of images (Goldschmidt: fig. 6; col. 9, lines 35-39; Brown: fig. 5; paragraph [0047]).

As per claim 23, the modified Goldschmidt teaches a method for interfacing with a plurality of images wherein the enlarging of the one of the plurality of images indicates that the one of the plurality of images currently has a focus of an interface and that the a media item represented by the one of the plurality of images can be selected (Brown: fig. 5; paragraph [0047]; Goldschmidt: fig. 6; col. 9, lines 31-39).

Claims 24 and 33 are individually similar in scope to claim 15 and are therefore rejected under similar rationale.

Claims 25 and 34 are individually similar in scope to claim 16 and are therefore rejected under similar rationale.

Claims 26 and 35 are individually similar in scope to claim 17 and are therefore rejected under similar rationale.

Claims 27 and 36 are individually similar in scope to claim 18 and are therefore rejected under similar rationale.

Claims 28 and 37 are individually similar in scope to claim 19 and are therefore rejected under similar rationale.

Claims 29 and 38 are individually similar in scope to claim 20 and are therefore rejected under similar rationale.

Claims 30 and 39 are individually similar in scope to claim 21 and are therefore rejected under similar rationale.

Claims 31 and 40 are individually similar in scope to claim 22 and are therefore rejected under similar rationale.

Claims 32 and 41 are individually similar in scope to claim 23 and are therefore rejected under similar rationale.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Miller et al. (US 2003/0046557 A1) teach a multipurpose networked data communications system and distributed user control interface therefor.

Nashida et al. (US 6,978,472 B1) teach an information providing device and method.

Billmaier et al. (US 7,159,176 B2) teach a system and method for focused navigation within a UI.

Gallo et al. (US 7,013,435 B2) teach a three dimensional spatial UI.

Sciammarella et al. (US 2005/0160377 A1) teach a system for managing data objects.

Crow et al. (US 6,262,724 B1) teach a UI for presenting media information.

Inquires

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached at (571) 272-4063.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lvn
Patent Examiner
February 25, 2007

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100